

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MAY 23, 2001
AT 7:00 P.M.

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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MARIE E. MALBURG, TREASURER
NORMAN J. SNAY, CLERK
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

ABSENT: NONE
(Additional attendance record on file with Clerk)

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Clerk SNAY called roll. All Present.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA ITEMS (with any addendum's)

Additions:

26a. Easement Encroachment Agreement; Matthew Kurelich; 46941 Cascade Ct, Macomb, MI 48044, Creekside Village.

MOTION by DUNN seconded by MALBURG to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

MOTION by OLIVER seconded by MEERSCHAERT to authorize payment of bills as submitted.

FOR THIS MOTION: OLIVER, MEERSCHAERT, DUNN, BUCCI, MALBURG, SNAY, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

5. APPROVAL OF MEETING MINUTES.

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MOTION by DUNN seconded by OLIVER to approve the minutes of May 9, 2001 as presented.

6. DEPARTMENT MONTHLY REPORTS

- A. Macomb County Sheriffs Department.
- B. Building Department
- C. Fire Department
- D. Water/Sewer Department
- E. Parks and Recreation Department

MOTION by OLIVER seconded by MEERSCHAERT move to receive/file and approve the Department Monthly Reports as a consent agenda.

MOTION carried.

7. PUBLIC COMMENTS

None

PLANNING COMMISSION:

8. Rezoning Request; Community Facilities (CF) to Office Low Rise (O-1); Located south of 23 Mile Road and approximately 250 feet east of Romeo Plank Road; Section 20; AYN Properties, Petitioner. Permanent Parcel No. 08-20-200-043.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed rezoning and surrounding property and stated the recommendation of the Planning Commission to deny for the following reasons:

- 1. The proposed rezoning is inconsistent with the goals of the Master Plan.
- 2. The proposed rezoning is inconsistent with the development of the surrounding properties.

Petitioner Present: Rodger Barton

Public discussion was held in support of the recommendation of the Planning Commission.

Board discussion was held regarding the Master Plan's zoning of the property, surrounding wetlands and uses permitted under the current zoning and options available with a special use approval.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to accept the recommendation of the Planning Commission and deny the rezoning of Permanent Parcel No. 08-20-200-043 from Community Facilities (CF) to Office Low Rise (O-1).

MOTION carried.

9. Rezoning Request; Residential One Family Suburban (R-1-S) to Multiple Family Low Density (R-2-L); Located west of Romeo Plank Road and approximately 300 feet south of 24 Mile Road;

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Classic Development, LLC, Petitioner. Permanent Parcel No. 08-17-100-005, 08-17-100-009, 08-17-100-010 and 08-17-100-018.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed rezoning and surrounding property and stated the recommendation of the Planning Commission to approve.

Petitioner Present: Paul Henderson

Public discussion was held regarding the type of construction planned for the site and the process required from the rezoning stage to the submittal of site plans.

MOTION by OLIVER seconded by DUNN to grant the rezoning of Permanent Parcel No. 08-17-100-005, 08-17-100-009, 08-17-100-010 and 08-17-100-018 from Residential One Family Suburban (R-1-S) to Multiple Family Low Density (R-2-L).

MOTION carried.

10. Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1); Located west of Card Road and ½ mile south of 23 Mile Road; Section 22; Polaris Enterprises, Petitioner. Permanent Parcel No. 08-22-400-034.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed rezoning and surrounding property and stated the recommendation of the Planning Commission to approve.

Petitioner Present: Bill Grosser representing Polaris Enterprises

Public Portion: None

MOTION by MEERSCHAERT seconded by MALBURG to grant the rezoning of Permanent Parcel No. 08-22-400-034 from Agricultural (AG) to Residential Urban One Family (R-1).

MOTION carried.

NEW BUSINESS:

11. Review of Software Contracts. (Tabled from the meeting of May 9, 2001).

Clerk SNAY reviewed the request.

Board discussion was held regarding the network's hardware connectivity and costs, the options available in regards to purchasing the software versus leasing, maintenance agreement costs and timing of implementation.

Clerk SNAY stated that the Building and Water/Sewer Departments are in great need of the new software.

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to approve the purchase of the Munis Software and the Connectivity Hardware.

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FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, OLIVER, SNAY
OPPOSED: MALBURG, BRENNAN
ABSENT: NONE

MOTION carried.

MOTION by DUNN seconded by OLIVER to authorize the Township Clerk to sign the Munis Software Contract.

OPPOSED: MALBURG

MOTION carried.

12. Retention Basin Agreement; Erb Industrial Park. (Tabled from the meeting of May 9, 2001).

Larry Dloski, Township Attorney, reviewed the request and stated that the agreement has been reviewed by himself and the Township Engineer's of Spalding DeDecker, and therefore stated his recommendation to approve the agreement contingent upon the lot numbers be corrected to reflect 20 – 25.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the Township Supervisor and Clerk to sign the Retention Basin Agreement; Erb Industrial Park.

MOTION carried.

13. Request to Schedule a Public Hearing Date for Carleton Place Subdivision; Street Lighting.

Clerk Snay stated his recommendation of Wednesday, June 27, 2001 at 7:00 p.m.

MOTION by OLIVER seconded by MEERSCHAERT to schedule a Public Hearing for Carleton Place Subdivision; Street Lighting for Wednesday, June 27th, 2001 at 7:00 p.m.

MOTION carried.

14. Request to Schedule a Public Hearing for American Machine Guarding Manufacturing Inc.; Industrial Facilities Exemption Certificate.

Clerk Snay stated his recommendation of Wednesday, June 27, 2001 at 7:00 p.m.

MOTION by MALBURG seconded by MEERSCHAERT to schedule a Public Hearing for American Machine Guarding Manufacturing Inc.; Industrial Facilities Exemption Certificate for Wednesday, June 27th, 2001 at 7:00 p.m.

MOTION carried.

15. Request to Purchase Election Equipment.

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Clerk SNAY reviewed the request and stated that the purchase of additional elections equipment is a budgeted item within the Clerk's Department.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHAERT to authorize the purchase of additional Elections Equipment for the total cost of twenty one thousand one hundred eighty seven dollars and 00/100 (\$21,187.00).

MOTION carried.

16. Request for Walkway Abeyance; Madison Manor Condominiums.

Bernard Lynden, Planning Consultant, reviewed the request and stated the recommendation of the Planning Commission to approve contingent upon the posting of a bond.

Petitioner Present: Bill Mosher of Urban Land Consultants.

Public Portion: None

Board discussion was held regarding reasons the walkway cannot be installed at this time, who will be the responsible party for costs if installed at a later date and if approval had been granted from the Drain Office.

The petitioner stated that approval from the Drain Office had not been granted.

Public Portion: None

MOTION by MEERSCHAERT seconded by OLIVER to deny the request for a Walkway Abeyance for Madison Manor Condominiums.

MOTION carried.

17. Request to renew Annual MTA (Michigan Township Association) Membership.

Supervisor BRENNAN reviewed the request and stated his recommendation to renew the membership and to include the legal defense which has been very beneficial in the past.

Public Portion: None

MOTION by OLIVER seconded by DUNN to approve the renewal of the MTA (Michigan Township Association) Membership with Legal Defense for the total cost of four thousand seven hundred six dollars and 40/100 (\$4,706.40).

MOTION carried.

BUILDING DEPARTMENT:

18. Discussion regarding Electrical Licensing.

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Bob Beckett, Building Official, reviewed the request and stated that the RECI (Reciprocal Electrical Council Inc.) will no longer be responsible for issuing electrical licenses and that the State of Michigan will accept the responsibility contingent upon a resolution provided from the Township Board of Trustees.

Board discussion was held regarding the type of licensing being considered.

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to adopt the Resolution releasing Macomb Township from performing Electrical Licensing and forward the responsibility to the State of Michigan.

FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, OLIVER, SNAY, MALBURG, BRENNAN

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

PARKS AND RECREATION DEPARTMENT:

19. Request to Print and Mail the Summer Edition of the Dimensions Brochure.

Martin Piepenbrok, Parks and Recreation Director, reviewed the request and state his recommendation to award the printing of the brochure to Litho Printing Services.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to award the printing of the Summer Dimensions brochure to Litho Printing Service, Inc. for the total cost of four thousand seven hundred thirty dollars and 00/100 (\$4,730.00) and to pay the bulk mailing costs in the estimated amount of two thousand nine hundred forty dollars and 00/100 (\$2,940.00).

MOTION carried.

20. Request to Purchase Supplies for Summer Day Camp Programs.

Marty Piepenbrok, Parks and Recreation Director, reviewed the request and stated that the purchases needed for the entire seven weeks of the programs at the two camp locations will total approximately \$3,500.00 to \$5,500.00.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve the purchase of supplies for the Summer Camp Program with the cost range of \$3,500.00 to \$5,500.00 with the final cost to be determined by the Department staff and approved by the Township Supervisor.

MOTION carried.

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21. Request to Hire Seasonal Park and Grounds Worker(s).

Marty Piepenbrok, Parks and Recreation Director, reviewed the request and stated the Ground Worker(s) will work at the Township properties including Waldenburg Park and the Macomb TownCenter Park.

Supervisor BRENNAN stated that he had received approval from the AFSCME Union regarding the position(s).

Board discussion was held regarding the duties/responsibilities of the position(s).

Public Portion: None

MOTION by MEERSCHAERT seconded by MALBURG to authorize the creating of the part-time seasonal position(s) of the Parks and Grounds Worker, accept applications and hire for the position.

MOTION carried.

22. Request to Award Contract to Design the 25 Mile Road Park.

Marty Piepenbrok, Parks and Recreation Director, stated that the Waldenburg is now officially open and would like to proceed with the 25 Mile Road Park. Mr. Piepenbrok reviewed the request and stated his recommendation to award the contract to the firm of Beckett and Raeder, Inc.

Clerk SNAY highly recommended the visiting of Waldenburg Park.

Public Portion: None

MOTION by SNAY seconded by MEERSCHAERT to award the Design Contract of the 25 Mile Road Park to Beckett and Raeder, Inc.

MOTION carried.

23. Request to Award Contract to Design the Community Recreation and Aquatics Center.

Marty Piepenbrok, Parks and Recreation Director, reviewed the request and stated his recommendation to award the bid to the firm of Barker, Rinker, Seacat Architecture of Denver, Colorado.

Public Portion: None

MOTION by MEERSCHAERT seconded by OLIVER to accept the bid and award the Design Contract for the Community Recreation and Aquatics Center to Barker, Rinker, Seacat Architecture of Colorado.

MOTION carried.

24. Request to Award Contract to Develop Management and Operations Plans.

Marty Piepenbrok, Parks and Recreation Director, reviewed the request and stated his recommendation in awarding the contract for consulting services to develop the management, operations, and program

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components of the Macomb Township Community Recreation and Aquatics Center to the professional firm of GreenPlay, LLC of Colorado.

Board discussion was held.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to award the Development Management and Operations Plans contract to GreenPlay, LLC of Colorado.

MOTION carried.

WATER/SEWER DEPARTMENT:

25. Easement Encroachment Agreement, Timothy A. Black and Denise A. Fontana, 50220 Shanadoah Drive, Macomb, MI 48044, Lot 63, Stagsleap Pointe Subdivision.

David Koss, Water/Sewer Superintendent, stated this was a agreement for a cement walkway and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion: None

MOTION by MEERSCHAERT seconded by OLIVER to grant an Easement Encroachment Agreement for a cement walkway for Lot #63; 50220 Shanadoah Drive in the Stagsleap Pointe Subdivision.

MOTION carried.

26. Easement Encroach Agreement, Umberto C. and Janet L. Cellitti, 48263 Boardwalk, Macomb, MI 48044, Lot 26, Deerfield Park South Subdivision.

David Koss, Water/Sewer Superintendent, stated this was a agreement for a cement walkway/pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to grant an Easement Encroachment Agreement for a cement walkway and pool for Lot #26; 48263 Boardwalk in the Deerfield Park South Subdivision.

MOTION carried.

- 26a. Easement Encroachment Agreement; Matthew Kurelich; Lot #6; 46941 Cascade Ct, Macomb, MI 48044, Creekside Village.

Public Portion: None

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David Koss, Water/Sewer Superintendent, stated this was a agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

MOTION by MEERSCHAERT seconded by OLIVER to grant an Easement Encroachment Agreement for a pool for Lot #6; 46941 Cascade Ct. in Creekside Village.

MOTION carried.

27. Pay Certificate No.1, 23 Mile Road Sanitary Sewer Phase I, Dan's Excavating, Inc. MA 00-31.

David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the payment of Pay Certificate No.1; 23 Mile Road Sanitary Sewer Phase I; MA 00-31, Dan's Excavating, Inc. in the amount of two hundred twenty three thousand nine hundred ninety seven dollars and 10/100 (\$223,997.10).

MOTION carried.

28. Pay Certificate No.1, Macomb Township Civic Center Utilities and Roads, Diponio Contracting, MA 98-37.

David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by DUNN seconded by MALBURG to authorize the payment of Pay Certificate No.1; Macomb Township Civic Center Utilities and Roads; MA 98-37; Diponio Contracting, in the amount of sixty five thousand nine hundred sixteen dollars and 00/100 (\$65,916.00).

MOTION carried.

29. Approval of Purchase Requisitions:
a. SLC Meter Service
b. Jack Doheny Supplies Inc.

David Koss, Water/Sewer Superintendent, reviewed the purchase requisitions and stated his recommendation to approve.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of twenty five thousand four hundred thirty nine dollars and 60/100 (\$25,439.60).

MOTION carried.

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MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to Jack Doheny Supplies Inc. for the total amount of three thousand one hundred eighty seven dollars and 83/100 (\$3,187.83).

MOTION carried.

BOARD COMMENTS:

30. Supervisor's Comments

Supervisor BRENNAN apologized to the Parks and Recreation Department for failing to introduce the Department Staff at the Waldenburg Park Ribbon Cutting Ceremony. Mr. Brennan expressed his appreciation and thanked Marty Piepenbrok for his outstanding efforts and a great job in the development of the park.

31. Clerk's Comments

Clerk SNAY stated how great he and his grandchildren thought the Waldenburg Park is.

32. Treasurer's Comments

Treasurer MALBURG thanked the Macomb Township Garden Club and Kathi Piepenbrok for all the efforts in the beautification of the grounds surrounding the Senior Center and Township Offices.

33. Trustee's Comments

Trustee OLIVER expressed what a great job Marty Piepenbrok had done in regards to the Waldenburg Park. Mr. Oliver also informed the Board that the 21 Mile Road and Garfield walkway needs attention.

Trustee DUNN inquired about the status of the house located on the south east corner of 23 Mile Road and Romeo Plank.

Bob Beckett, Building Official, stated the electric has been disconnected and the house is to be demolished. Mr. Beckett also informed the Board that bids are currently being accepted for the demolition of the house located at 49169 Marseilles, Macomb Township and will be presented to the Board at the next meeting.

MOTION by MEERSCHAERT seconded by OLIVER to adjourn into Executive Session at 8:25 p.m.

MOTION carried.

Returned from Executive Session at 8:48 p.m.

EXECUTIVE SESSION:

34. Grand Sakwa Macomb Airport v Macomb Township.

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Informational Only

35. Land Acquisition

Information Only

ADJOURNMENT

MOTION by MEERSCHAERT seconded by SNAY to adjourn the meeting at 8:50 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Norman J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM

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